For a Sovereign Europe

02

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Preface

Both 'Take Back Control' and 'Make America Great Again', two of the most successful political slogans of our times, seem to be firmly turned towards the past, even as they summon agency in the present. They clearly express the features that political philosopher Nadia Urbinati in these pages identifies in the ideology of sovereignism: a rearguard battle in which both idealized images and the conceptual tools of the past are used to address contemporary problems. This essay is based on a lecture given at Casa dei Tre Oci in Venice, Italy, in December 2024, in the weeks following the election of Donald Trump to the Presidency of the United States of America for the second time. In this essay, Nadia Urbinati turns the tables on sovereignists in Europe who might think they have history on their side. If they were coherent and genuinely wanted to wield the power to address the forces undermining collective agency, they would need to call for a European, not a national, sovereignty and not consider the European Union (EU) an enemy.

The EU, as an unfinished project, stands at the frontier of the millennial European endeavour to combine *peace*, *freedom* and *well-being*. It emerges from the repeated twentieth-century breakdowns of the national forms of productive tension between sovereignty and democracy that appeared after the French Revolution. External conditions following World War II, including American geopolitical hegemony and a relatively stable climate and energy-resource ecology, enabled an unprecedented reconstruction of and reconciliation between European states, as well as a reconfiguration of the balance between underlying political imperatives of independence and interdependence, liberty and solidarity, at both individual and collective scales.

In contemporary political, ecological and technological planetary conditions, this European balancing structure – which, like riding a bicycle, has always required momentum to maintain itself – enters into rougher and more challenging terrain, where some actors call for the brakes to be applied. Of course, in so doing, they ironically accelerate the destabilizing tendencies themselves, whether by providing even more excellent opportunities for other countries seeking geopolitical advantage to exploit internal divisions or for those oligopolistic corporations that aim to extract ever more value from populations and consolidate control over them. They do so by weaponizing how technology reconfigures social relations to maintain submissive, divided, distracted and poorly

informed workforces and electorates, ultimately interfering in and undermining democracy itself.

Under such conditions of advanced capitalism and the re-emergence of imperial ambitions, both the personal and the collective autonomy and agency of Europeans are perniciously threatened by the false promises of choice and rebellion offered by sovereignists, which deliberately hide or ignore the powerlessness of individual European countries to change this environment on their own. Herein lies the fundamental historical shift away from previous forms of fascism or totalitarianism, when Europe maintained its centrality to world affairs, and the European state could still be thought to have the capacity to dominate completely. Contemporary sovereignist parties in a more peripheralized Europe, however, cannot rely on the state for this function. Instead, they allow capital interests and foreign superpowers to undermine society, supercharged by technological advances, including AI, which threaten, as Urbinati puts it, 'propaganda campaigns that dwarf those of the Nazi-fascist movements and governments of the 1920s and 1930s'.

It is entirely appropriate, therefore, that in the prepositive part of her essay, Nadia Urbinati finds proof of the possibility of an alternative common European approach in the EU's response to the Covid-19 crisis, the most significant collective threat to well-being in Europe since the twentieth century. In this crisis, the collective European good of each

country and each individual was placed at the centre, both in the acute phase of the crisis, with vaccine-sharing, and in the Recovery Funds mobilized through unprecedented joint borrowing. This coordinated and largely successful social response is a key learning experience for our immediate future, as well as a basis for the popular 'output' legitimacy of the EU among the majority of the European public. Is our European collective intelligence well prepared and confident enough through this experience to interpret new crises as joint threats requiring a coordinated response? Moreover, will elites and the population find the collective will to address these threats thoroughly and comprehensively by advancing European cooperation? Or will divisive tendencies and short-sighted, self-serving interests prevail? To avoid the worst and aim for the best, a historically informed understanding of the misguided temptations of sovereignism and a clearly stated perspective of the horizon of possibility for European well-being are amongst the best intellectual preparations we can make. This short essay provides both.

Niccolò Milanese,
Nadia Urbinati
Venice, May 2025

For a Sovereign Europe*

The bard, inspired by a god, lit up the picture of his story, starting when some of the Argives set fire to their tents and sailed away while others, hidden within the horse, were waiting with Odysseus in the Trojan place of assembly. For the Trojans themselves had drawn the horse into their fortress, and it stood there while they sat in council round it, and were in three minds as to what they should do. Some were for breaking it up then and there; others would have it dragged to the top of the rock on which the fortress stood, and then thrown down the precipice; while yet others were for letting it remain as an offering and propitiation for the gods. And this was how they settled it in the end, for the city was doomed when it took in that horse, within which were all the bravest of the Argives waiting to bring death and destruction on the Trojans (*The Odyssey* 8:12)

* This text is a revised and enlarged version of a chapter that will be published in *Research Handbook on the Law and Politics of Sovereignty*, ed. Michel Rosenfeld and Marinos Diamantides (Edward Elgar Publishing). I thank Niccolò Milanese for his invaluable suggestions in the final revision of this essay.

Sovereignist ideology holds that the nation-state must regain its sovereign power against the interference of supranational forces. In Europe, the target of sovereignist movements is the European Union's (EU's) power of influence. Over the last few years, this ideology has become a widespread mentality that today acts as a handbrake. The EU finds itself caught between two adversaries who, for different reasons, believe they have everything to gain from a further weakening of the Union. Their influence leads Europeans to believe that it is time to interrupt the union process and that the EU belongs to a time that longer exists, namely the era of the Cold War. As we will see, this argument is far from irrelevant and warrants attention. The understanding of the European project, in its historical and political significance, will show that the answer to the forces that long for a divided and weak Europe should be to take the handbrake off and move confidently towards constructing a new and more advanced dynamic equilibrium between its powers; in short, a constitutional order. The ideals of a union of European states, which have emerged throughout the last two centuries and more so in the anti-fascist movement of the 1940s, are like a noble confirmation that this

1 Immanuel Kant, 'Perpetual Peace: A Philosophical Sketch', in *Kant's Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge University Press, 1991), 93–130. First published in German in 1795.

is the right path to take if we want the continent to be a protagonist in a world with globalized trade, technology and finance. For globalization not to translate into the domination of the few strong over the many weak, more unity is needed, and a perfect union, all the more so as the sovereignist ideology expands its influence on European public opinion and the opinions of the member states. This essay aims to take sovereignism seriously and challenge it by highlighting its weaknesses.

To critically analyse this ideology, we must place it in the political and historical context in which sovereignty and democracy were established. This should enable us to understand that sovereignism is a rearguard battle. To put it briefly, it has its feet firmly planted in the risks and challenges of the present but its head turned towards the past. It reflects a concrete problem but deals with it using obsolete theoretical and political tools. The ideology of sovereignism is symptomatic of what Antonio Gramsci would have defined as an era of *interregnum*; that is, it is poised between an increasingly dysfunctional existing order and an order that is in the making but not yet fully implemented. For this reason, it generates impulses to idealize the past or denigrate and/or uncritically embrace the future.

The EU is more than an alliance of nation-states dictated by the need to preserve peace on the old continent. It began with this aspiration, the child of the ideal project that drove Immanuel Kant to write his *Perpetual Peace* (1795).[1] Kant's

essay debunked the idea that peace consists of the balance of power or, even more absurdly, that it is similar to a private transaction between plenipotentiaries who decide over the heads of the people involved in a war and who seek peace. For Kant, in order to be a practical possibility, peace must to be a categorical imperative: it must be willed and can only be willed if state powers are organized in such a way as to promote peace. Sovereign states must be constitutional, not despotic. In a continent seeking peace, the experiment of a union between mortal enemies has proven to be a necessary condition for defending freedom and sovereignty against challenges, not only military ones.

Created to defend the continent from the threat of war, the EU is today the theatre of another challenge, which comes from an epochal war. Like previous wars, it aims to annihilate politics, but it uses very new means, such as the techno-financial monopoly. However, regardless of the different nature of the threat, the result, if realized, would be almost the same: the end of politics as a form of interaction through deliberation among different peoples who cooperate for the pursuit of their well-being and, in so doing, also for the well-being of the continent. As with peace and freedom, the relationship between well-being and freedom is reciprocal, not binary, because when one is lacking, the other collapses. The European project, as old as the political history of the modern states, is defined by the triangulation of *peace*, *freedom* and *well-being*.

To explain how democratic citizens can pursue the general interest without being perfectly virtuous, Alexis de Tocqueville described the driving force behind the general interest in democracies as 'selfishness properly understood'. It is not the 'beauty of virtue' that moves the minds of democratic citizens, but the idea that 'virtue [is] useful'; this makes the motivational force effective without stifling individual will and freedom. It is always at work, yet it is not oppressive; it is not moralistic and does not ask people to sacrifice themselves for a superior cause 'because it is a nice thing to do'. However, it enables each person to recognize that it is in their best interest to act in a way that benefits all. 'Therefore they do not object to my pursuing their interests, but they do everything they can to show that it is in the interest of every man to be good.'[2]

We can adapt Tocqueville's maxim to the meaning and value of the European project as rational and just. Its founding fathers might consider this reason unworthy and a depreciation of the efforts and sacrifices they made – we should never forget that the idea of European unity emerged in a time of great suffering in terms of freedom and

2 Alexis de Tocqueville, *Democracy in America*, ed. J. P. Mayer, trans. George Lawrence (Harper Perennial, 1988), 326–27. First published in 1835.

well-being. However, its translation as 'selfishness properly understood' is, in fact, a recognition of the perspicacity of the founders' ideals. If several generations have persisted in believing in them, it is because the EU turned out to be convenient for the people of Europe, something it is hard to imagine not having any longer. The nobility of the founding ideal is enhanced by its necessity, not merely it beauty. One might say to Europe what Benedetto Croce said of Christianity, 'We cannot help but call ourselves Europeans.' This paper takes its cue from this interpretation. It aims to convince sovereignists that if they want to fulfil their promises – promote the interests of their people – they should strongly support the EU: they must want more Europe, not less Europe. In this era of oligarchic-techno-capitalism, where even democratically elected leaders have no qualms about disregarding rules and undermining democratic governance, the regulatory sovereignty that the EU has established assumes considerable significance.

I.
Sovereignty and Democracy

Sovereignty and democracy are a modern pair of fraternal rivals that an anti-absolutist revolution (in the seventeenth century) and two republican revolutions (in the eighteenth century) stabilized, implanting this pair in the collective subject of the nation. Sovereignty and democracy owe their most creative relationship of tension and attraction to the French Revolution. Since 1789, the construction of a popular sovereign has been pursued through waves of struggles for inclusion in the body politic. The democratization process of the monarchical sovereign in the absolute state led to the transformation of democracy into a representative form of government based on universal suffrage. This transformation facilitated the inclusion of diverse groups of people in a single national project. From then on, any exclusion would have been a 'scandal'.

Let us explain what it means that the exclusion of women from suffrage was a 'scandal'. Once it is judged in relation to the sovereign state, citizenship is an abstract status that should not reflect people's social specificity; at that point, exclusion

from citizenship becomes an evaluative judgement about the specificity of those who do or do not qualify for it. There is no better way to understand the abomination of exclusion than by looking back at women's struggle for suffrage. For decades, women were considered 'subjects' of the legal nation yet treated as less than male foreigners. They were considered part of the nation, for all intents and purposes, in terms of social sacrifices and legal obligations, but were unable, by nature, unable to be elevated to citizenship. No other reason justified their exclusion except their sex; therefore, they were declared natural foreigners in a way that no law could change. 'All states consider their citizens bound to them by obligations of loyalty and service', wrote Rogers Brubaker, 'even when they do not routinely demand service or invoke loyalty'.[3] Women were expected to serve and be loyal to the nation because of their 'natural' disposition, without asking for anything in return. Their duty to obey without also governing, as paraphrased by Aristotle, was considered a sign of their inferiority. Political life and rights were alien to them.

The achievement of women's suffrage (France and Italy celebrate their eightieth anniversary in 2024 and 2025, respectively) must be considered the crowning of the revolutionary meaning of citizenship. In several European countries, liberation from political subjection to despotic regimes was achieved thanks also to the women's choice to fight for freedom, conquering what national sovereignty

had not granted them. The nation and democracy did not go hand in hand so quickly. Women's fight for freedom was a fight for each of them and all citizens of their countries; it provided concrete evidence of the universalistic meaning of democratic equality. This inspired the EU's visionaries as a project of freedom for the interests of each and all associated. We should evaluate the emancipation of the European peoples from the perspective of the scandal of the despotism they suffered to emphasize that political freedom is, first and foremost, freedom from domination.

Post–World War II democracies demonstrate the symbolic and normative force of the eighteenth-century promise of equal political freedom, making sovereignty the indispensable condition for all citizens to exercise their power over society collectively and do so through the rule of law, thereby securing rights, including civil and political ones. The idea that autonomy from outside intervention is essential to sovereignty and self-government, or freedom as non-domination, was incorporated into the United Nations Charter and the Universal Declaration of Human Rights. 'Internal supremacy and external autonomy' define the two cornerstones of sovereignty on which democracy

3 Roger Brubaker, *Citizenship and Nationhood in France and Germany* (Harvard University Press, 1992), 32.

has been rooted.[4] Today, the people's power over their society and the autonomy of sovereignty from external potentates, political or otherwise – what epitomizes the sovereignty/democracy pair: liberty as non-domination – is facing notable risks of decline. This paper examines one aspect of these risks, which the term 'sovereignism' renders well.

A Concise Historical Reminder

The leaders of the eighteenth-century revolutions distrusted democracy and revived the concept of republicanism. The revival adapted to the territorial state and was inspired by the classical Roman tradition, not the humanistic one. The Italian city-states of the fifteenth century had failed to create a constitutional order that could accompany society's territorial expansion and the growth of a dynamic market economy, which entailed the formation of a new socio-economic class and its exigency of new regulatory systems that had to make contracts safe and valid within and outside the city-state's walls. Moreover, the Italian republics' inability to depersonalize their political institutions prevented them from establishing the rule of law. Thus, the

4 Jean L. Cohen, *Globalization and Sovereignty: Rethinking Legality, Legitimacy, and Constitutionalism* (Cambridge University Press, 2012), 26–27.

essential condition for governing pluralism and conflic – ultimately, it prevented the preservation of political freedom. Their republicanism failed to constitutionalize politics, an achievement we owe to Montesquieu and the American Founding Fathers.

In his *Spirit of the Laws*, Montesquieu famously wrote that in the Italian republics of the Renaissance, where the three powers – lawmaking, executive, and judicial – are united, there is less liberty than in our monarchies. Thus, in order to maintain itself, the government needs means as violent as those of the Turks.[5] For Montesquieu, having the three powers 'united' meant that in the humanist republics, these powers related to each other without any reciprocal guarantee of respect and non-interference, and thus without each having the power to preserve its functional independence from the others. No control and balancing mechanism existed to enable each power to work effectively in cooperation and equilibrium. In short, the humanist republics lacked a division of powers. They lacked a dynamic equilibrium of powers. For Montesquieu, the secure model of the constitution was modern; it was England, the 'commercial republic', where electoral representation legitimized and limited legislative power, which found a restraint and an incentive

5 Carles Louis de Secondat, Baron de Montesquieu, *The Spirit of the Laws*, trans. Anne M. Cohler, Basia Carolyn Miller, and Harold Samuel Stone (Cambridge University Press, 1989), 157. First published in 1748.

to operate alongside the executive. The only power that was not in the game was the judiciary, which was power without 'the will', as it were, because it did not make laws but applied them with its autonomous force of judgement. On this division, without encroachments and yet with enough friction to keep power in check, rested the possibility of a moderate government, which would protect freedoms under the law: a condition for the free, not the enslaved.

If not a written constitution with checks and balances, the ancient Roman Republic nonetheless had at least two elements of interest for the moderns: a) the notion and practice of federation, and b) the idea of people as a collective body (though it shared its sovereignty with another collective body, the patricians). The moderns adapted those elements to their territorial states. Eighteenth-century republics sought to fully unify the collective sovereignty through a central authority (either federative or undivided) and rejected the corporate division of sovereignty between the patricians and the plebeians. The people had to be one for the command of the law to be uncontested and equal for all subjects (during the debate in what would be named the National Assembly, after 14 July 1789, the position emerged in France that the term 'people' could no longer be used because it was based on a conflictual premise, against the nobility, that would not accommodate a state as one and the equality of all subjects under the law). The seventeenth-century political philosophies of Jean Bodin and Thomas

Hobbes provided French revolutionaries with the fundamental argument for a sovereign power that was collective and strongly unified in its functions, comprising equal individual subjects and not corporate groups.

In building its perfect unity, the modern sovereign *res publica* of the moderns developed along two lines: one pivoting on institutions and the other on political will. The former is well represented by Montesquieu, who placed sovereignty within the institutional order and made the republic representative – based not on the ethical virtues of its citizens but on the virtue of the constitutional order. Montesquieu sought to identify a driving principle other than the classic republican virtue or the love of country, as this love, like all love, requires constant nurturing to persist. This constant attention is a condition that can jeopardize domestic freedom, international stability and, ultimately, freedom itself. Therefore, virtue must be reflected in the laws: a division and balance of powers, freedom under the law and not as a licence, with institutions not owned or used for private purposes by anyone. These principles inspired the American Founding Fathers, who, as Kant would later reiterate, maintained that a good constitution can govern even the most wicked individuals. Assuming that human beings are a mixture of vices and virtues, the constitutional design should aim to construct an institutional order that allows individuals to operate freely in their lives according to their interests, while

relying on a system of rules that harnesses their selfishness to promote social stability. Making virtue out of necessity: this maxim inspired the eighteenth-century reformers.

The other line is well represented by Jean-Jacques Rousseau, who made sovereignty the 'general will' that expresses itself in lawmaking (not the constitution) via an assembly of equal and free citizens. Rousseau's conception of popular sovereignty reflects an assumption of homogeneity, but not because it comes after a socialist revolution or commands the absence of private property. For Rousseau, sovereignty resides indivisibly in the People-One; it is a prerogative in which the subject of politics is the entire collective, made up of identical (as voters) and dissociated individual citizens who participate one by one, reflect with their minds and in silence (no rhetoricians are allowed in his assembly) and form their decisions on issues they do not originate (the council or government does) by producing a judgement of consistency between those proposals and the principles of their social contract. Based on this process of singular-yet-collective deliberation, the will they express directly by voting is the legitimate expression of the general will as the will of the People-One. In Rousseau's 'body politic', there is no room for political representation, because there is no room for differentiation, heterogeneity and forming parts or parties. If the will (singular/collective) is One and directly accessible to each through their inward reasoning

(each citizen sitting in the assembly is supposed to ponder in silence, without dialoguing with his fellows), then the problem of inaugurating a searching process (seeking the general interest from an effort made by the citizens) does not arise, nor does a written constitution.

In a direct lawmaking system, a written constitution is redundant, since the time horizon of the sovereign is the present; the sovereign is thus always in the constituent phase. In a suffrage-based electoral (indirect) democracy, a written constitution is necessary because it is representative of future projections of the well-being to be aimed for and the bad to be avoided. Thus, whereas in a direct government, a written constitution is redundant, in a suffrage-based electoral government, a written constitution is necessary because the citizens and lawmakers are not identified, and limiting how institutions act is paramount to preserving freedom and stability. The 'satisfaction' of holding the sovereign power is *deferred*, so to speak, or, better said, comes from the political life in the making, not in the act of decision. A constitutional assembly is needed, representing an ideational project for the future.

Since the eighteenth century, the *sovereignty of the constitutional order* and the *sovereignty of the will* have defined the two primary trends in the interpretation of the moderns' *res publica*, which contemporary scholars of republicanism have associated with the Roman-Anglo-Saxon tradition and the French tradition, respectively. Despite their

differences, these two traditions remain at the core of the ideological tension surrounding interpretations of democracy and the European project as well. One tradition emphasizes that 'we, the people', must be the direct source of sovereignty, with no intermediaries; a referendum gathering all people in one day to express their will regarding a constitutional proposal would be a legitimate beginning of a political union. The other tradition stresses that an order can be constitutional and legitimate by tacit consent to a convened set of institutions or procedures that guarantee the limitation of power, the protection of freedom and civil peace. A constitution has a clear-cut beginning, is incremental and is based on assessed functionality. The criticism that the EU suffers from a democratic deficit assumes the former model, which contemplates a declaration by and of 'we, the people' – without which a legal order is perhaps functional but remains poorly legitimate in the eye of the peoples. The EU followed the incremental model, which was more similar to British constitutionalism – Montesquieu's model of legitimacy – relying upon 'mores' or stabilized practices rather than a fiat. Finally, we need to clarify another difference in the organization of sovereignty to understand the EU project: between the forms of the sovereign's unity, whether undivided or federated. Again, Montesquieu was pivotal.

However, neither of these trends can be called 'democratic' if by democracy we mean the classical model of direct rule by the assembly and the use

of lottery and election to select collegial administrative bodies and monocratic functions, respectively. Ancient Athens did not have a separation of powers, despite possessing a tripartite system (assembly, council and magistrates), and did not have a state organization and a bureaucracy (hence the extensive use of lotteries to ensure the impartial administration of public affairs). As Robert A. Dahl observed, the construction of the modern state precipitated the decline of ancient forms of direct democracy.[6] The ambiguity of the relationship between sovereignty and democracy is written into the nature of both: verticality of power in the former and diffuse and horizontal power in the latter; centrality of the act of decision-making in the former and centrality of the process of opinion and decision formation in the latter; identification of power with the legal norm and state apparatuses in the former and identification of power with self-government in the latter. Hence, Claude Lefort defines democratic sovereign power as a *modus operandi* that proceduralizes and de-substantializes political power.[7] This marks the uniqueness of a combination of democracy and constitution, or Montesquieu's and Rousseau's perspectives.

6 Robert A. Dahl, *After the Revolution? Authority in a Good Society* (Yale University Press, 1970).

7 Claude Lefort, *Complications: Communism and the Dilemmas of Democracy*, trans. Julian Bourg, with a preface by Dick Howard (Columbia University Press, 2007), 114.

Starting with the revolutions of the eighteenth century, democracy gradually abandoned the meaning of direct self-government. It started a process of constitutional formalizing that entailed a depersonalization of institutional management and a proceduralization of decision-making. As to the ancient form of democracy, it moved its direct participatory practice outside the lawmaking institution into the broad extra-institutional form of participation (through parties, movements, civil associations and media activities of information and opinion formation). Democracy came to identify with deliberation and discussion in the 'wide' public sphere of discussion, where citizens monitor the work of the elected, voice their opinion and associate to construct their representative claims and make representatives accountable to them. The long-term effect of electoral representation has been the separation between possessing power and exercising power, which opened a gap between institutions and citizens, state and society. To sum up a long and complex story, 'democracy' has gradually become the name of the constellation of activities to manage this gap.

The Representative Gap

Historically, the representative gap has been embodied in constitutions written by conventions or elective assemblies and in the emancipation of the people from the myth and authority of an absolute

legislator or monarch. This process of humanization and immanence of sovereignty opened politics to contestation and conflict; it made representation a name associated with the legitimate government rather than a specific institution. As Kant taught us, only *representative* government is *political* and thus *constitutional* – thus, not the will alone makes the sovereign, but a will that flows according to procedures and rules meant to treat all parties involved as free, independent and equal.

This representative government has engaged philosophers and political leaders since the seventeenth and eighteenth centuries and facilitated two fundamental moves. First, the denaturalization and depersonification of sovereign power and the redescription of politics as a process that *belongs to no one* and consists of making, justifying and remaking political decisions; second, a process in which citizens participate directly and indirectly through voting and opinion, individually and collectively. In other words, representation became the means to expel the category of possession from politics and turn politics into a process of *making* (creating intangible things, such as rules and laws) and *instituting* (forming and stabilizing political and social behaviour through rules and regulations).[8] As to

8 Modern democracy was 'born from the collective shared discovery that power does not belong to anyone, that those who exercise it do not incarnate it, that they are only the temporary trustees of public authority' (Lefort, *Complications*, 114).

the second move, representation contributed to advancing democratization, a process that went hand in hand with the redefinition of suffrage as a right belonging to every citizen and the emancipation of representation from a merely descriptive and sociological function. This change corresponded to the change in the voting statute from a function to a right.

With John Locke, the first theorist of modern parliamentary government, voting was understood as a political function for the protection of individual interests. This was not by chance; only those citizens who had some stake in the nation's wealth or paid taxes had the privilege of exercising electoral power. Along Locke's lines, a century later, Emmanuel Joseph Sieyès gave the nation two meanings: an inclusive legal body of all natural rights bearers (subjected equally to the law) and a selected set of electors whose function was to give a political voice to the nation by representing the nations' socio-economic parts. By distinguishing legal obligations from political obligations, Sieyès paved the way for what is known as 'surrogate representation', a position aimed at limiting the right of suffrage without renouncing the principle of legitimacy by consent. James Mill reformulated this idea a few decades later by theorizing that the right to vote was a merit that citizens gained for their contribution to the country's welfare, which indirectly included the interests of all, including those of non-citizens (exclusion by gender and census),

in those of the privileged citizens.[9] The struggle for the democratization of the sovereign nation soon became a struggle to subvert that dualism, eventually making voting a right of the individual citizen rather than a function to protect interests.

The turning point in democratization coincided with voting transitioning from a function (as in Locke) to a right – a right that the most democratic French revolutionaries thought of as 'attached' to each citizen. This change marked the transition from liberal representative government to representative democracy, which began when voting ceased to be conceived as a tool to protect the interests of some by selecting the best representatives from among them and was instead conceived as a right to give voice and power to the various claims and proposals that citizens raised with their representatives. In this new formulation, voting power made its appearance in the pamphlets of the Levellers, was theorized by democratic republicans like Thomas Paine and the Marquis de Condorcet and was sought by several generations of democrats, republicans and socialists over the next two centuries.

Since then, those who wanted to attack democracy started by attacking the right to vote – either by abolishing it, making it hard for citizens to

9 James Mill, 'On Government', in *Introduction to James Mill: Political Writings*, ed. Terence Ball (Cambridge University Press, 1992). First published in 1820.

practice it or using elections to represent corporate interests or acclaim a leader. From the moment the right to vote began to be applied and theorized as a personal/political right, voting ceased to be associated with either the choice of a 'natural aristocracy' of competent and virtuous rulers or the selection of certain individuals based on the individual evaluation of their specific virtues and qualities. One reason why elections are anachronistically conceived of as a form of 'aristocratic selection' is that they have been analysed without any emphasis on or attention to how they are bound up with the right to vote. Voting in elections entails *both* having the right to vote for a broad proposal *and* having the right to campaign for it freely. Voting simultaneously constitutes a formal and an informal set of activities; this complexity activates a society that is querulous and vibrant, composed of movements and contestation, proposals and petitions and other forms of representative claim-making we are familiar with, which do not necessarily end with elections. After citizens have voted, they 'do not stand by helpless, without resources. They can organize with allies to depose, or at least fight against, their elected representative in the next election'. Voting is a tonic to participation rather than a depressant; it keeps the minds of citizens alert to what the legislature is up to and focused on how they will use their voting power in the next election.

Voting invariably comes along with other rights – rights that no specifically *democratic*

election could ever exist without: the right of associating together within political parties, of freely contesting and publicly opposing decisions and politicians, of freedom of speech, and of gathering information and openly expressing ideas. Thus, if an internally raucous polity is taken to be a sign of the 'crisis' of democracy, then this is only because it has somehow been decided that the 'functionality' of elections should be measured by the level of apathy among the citizenry. This is indeed the picture proposed by the economic theory of democracy. However, democracy works in just the opposite manner as the market: we leave home not so much when we need to (as if interests trigger our decisions as citizens) but when, for the most diverse set of reasons, we want to (passions rather than interests often move us). This is the sense of political freedom that the right to vote expresses.

The transition from elections as a choice between and of individuals in a community of those who were equals in their interests to elections as involving contrasting political groups and options was, for whatever reason, hard to achieve and stabilize (was not fascism a violent reaction against party pluralism and electoral democracy?). Yet that transition was what allowed voting power to acquire its full democratic potential and show up within the acceptance and practice of opposition to an elected government. It overlapped with the acknowledgement that the polis is composed of two levels: the community as one (the sovereign people in the

constitution and the rules of the game) and the political community in which the citizens can freely articulate their plurality in making and remaking the boundaries between the majority and the opposition. Political history changes institutions and practices – not only in terms of their form but also in terms of their meaning.

Nations, Nationalism and Beyond

However, stripping power from individual monarchs has been relatively more straightforward than building the sovereignty of the demos. To explain the latter's construction, intellectuals and historians have, since the nineteenth century, engaged in framing ideological narratives meant to ennoble the sovereign with the myth of the nation's ethical life. This ideal unity was supposed to make everyone (rich and poor) feel part of the same destiny.

Sovereignty, wrote Ernest Renan, is a daily spiritual *'plebiscite'* that creates an ethical identity by educating the feelings of solidarity and sacrifice.[10] Before him, but with a more universalist

10 Ernest Renan, 'What Is a Nation?', in *The Poetry of the Celtic Races and other Studies by Ernest Renan*, trans. William G. Hutchison (Kennikat, 1970), 61–83. First published in 1882.

and less nationalist afflatus, Giuseppe Mazzini had tried to translate the 'will' of belonging to the sovereign body into pure 'political' will, attempting, as it were, to give the nation the guise of Rousseau's *Social Contract* (1762).[11] The Constitution of the Roman Republic of 1849, to which Giuseppe Mazzini made a decisive contribution, is perhaps the first European example of the overlap between 'people' and 'nation' or *demos* and *ethnos*, and the first attempt to associate sovereignty with the right to universal suffrage and social rights. If, in ancient Athenian democracy, the 'demos' had a social connotation (inclusive of the poor), the modern struggle for democratic sovereignty soon became a struggle to guarantee the social conditions of political citizenship for ordinary citizens who lived from their labour. The visionary ideas of Mazzini were an important inspiration to scholars and leaders who understood that the link between democratic transformation and federative cooperation among self-governing people would be paramount to achieving peace in the old continent.

On his way to the peace conference in Versailles (1919–1920), President of the United

11 Jean-Jacques Rousseau, *The Basic Political Writings*, trans. Donald A. Cress, introduced by Peter Gay (Hackett, 1987), 11

States Woodrow Wilson visited the tomb of Mazzini in Genoa.[12] With World War I just ended, Wilson hoped to contribute to 'the realization of the ideals to which his [Mazzini's] life and thought were devoted'.[13] Mazzini's ideals were based on the conviction that under the historical circumstances of the post-imperial world order, the nation was a necessary step in building democracy at home and peace abroad, the means toward a 'brotherhood' among all 'peoples'. Like a few other visionaries of his time, Mazzini championed the 'United States of Europe' but thought the latter would be a subset of other republican regional communities and, ultimately, a global 'Assembly of Peoples'. Mazzini believed peace and national self-determination were complementary, but their complementarity had to be forged. Thus, whereas the cosmopolitan Kant trusted interests, free commerce, rights and constitutionalism to secure peace, the nationalist Mazzini hoped that political activism, writings and moral examples would create a public mentality and inspire genuine republican sentiments unifying nations. Both Mazzini's civic philosophy of cooperation among nations and Kant's plan for a perpetual peace would gain momentum after

12 I derive part of this session from the part I authored for the chapter by Nadia Urbinati and Vikram Visana, 'Beyond the Polis: Enlargement and Transformation', in *A Cultural History of Democracy*, vol. 6, ed. Eugenio Biagini and Gary Gerstle (Bloomsbury Academy, 2021), 215–26.

World War II, rather than in their time or Wilson's, whose League of Nations (1920) failed to tame the rampant nationalisms and the imperial ambitions that followed World War I.

World War I ushered in a competition between antithetical models of democracy and nationhood. While Wilson launched his idea of a liberal democracy within the Atlantic paradigm, the Russian Revolution (particularly the Bolshevik one of 1917) attempted to construct a system based on the abolition of social classes and electoral representation. Wilson's model was resisted by the social reformers who drafted the Weimar Constitution (1919–1933), which designed a democracy based on labour and embedded in unions and parties, thus promising to combine political liberty and social justice. Its failure to moderate partisanship and bring social justice to societies that the war had made poor and left in turmoil translated into the most dramatic debacle of democracy after the Treaty of Versailles.

Among opinion-makers and journalists, comparisons between American and European answers to the Great Depression kindled a critical reflection on which socio-political models were more appropriate to govern expansive capitalism and

13 Woodrow Wilson, 'Remarks About Giuseppe Mazzini' and 'Further Remarks in Genoa', in The Papers of Woodrow Wilson, ed. Arthur S. Link, 5 volumes (Princeton University Press, 1966–1994), 5:614–15.

support re-establishing democracy and peace after World War II. Two Italian anti-fascists illustrate this point. Antonio Gramsci dedicated part of his *Prison Notebooks* to the search for an alternative model to the three solutions to the crisis: 'Fordism', or the system of mass production pioneered in the early twentieth century by the Ford Motor Company, in the United States; authoritarian corporatism in Europe; and centralized state communism in the Soviet Union.[14] Carlo Rosselli proposed a liberal interpretation of socialism and devised a blueprint for constitutional democracy in a post-fascist society. Both Gramsci and Rosselli were victims of the fascist regime.

The failures of Italy's liberal state (1922), the Weimar Republic (1933), and French parliamentary democracy (1938) demonstrated that the rule of law and constitutionalism were insufficient shields to guarantee liberty and social stability. Political and ideological party conflicts would reinforce democratic stability only once citizens on different points of the political spectrum recognized themselves as part of the same communal project. That recognition did not come spontaneously, nor was it simply the outcome of endorsing a constitutional democracy. Important interwar streams of ideas and

14 Antonio Gramsci, 'Americanism and Fordism', in *Selections from the Prison Notebooks of Antonio Gramsci*, ed. and trans. Quintin Hoare and Geoffrey Nowell-Smith (Lawrence and Wishar, 1971). First published 1934.

experiments emerged that would impact democracy's reconstruction after World War II. First, since the 1910s, American and British thinkers such as William James, John Dewey, Harold Laski and G. D. H. Cole had been critiquing the notion of unitary sovereignty vested in an all-powerful state and arguing instead that self-governing associations of producers and consumers shared sovereignty. Second, the New Deal showed that democracy could not be indifferent to social inequality and had to be willing to give the state an active role in economics. After World War II, those lines of thought led the British socialist governments of 1945 to 1951 – supported by, among others, social theorists T. H. Marshall and Anthony Crosland – to avow social rights and a public system of education as necessary conditions for democratic citizenship. After 1945, democracy came to denote not only universal suffrage and regular elections but also a party system and a model of a just society in its entirety. This included a system of communicative power consisting of free media and civil associations that guaranteed information, promoted participation and monitored and contained a monopoly.

The end of World War II also furthered a new vision of the international order based on human rights, under which the very right to national self-determination and sovereignty was established. Liberation from fascism accelerated the constitutionalization of democracy, a development aimed at asserting the rule of law against populism,

assigning oversight power over legislation to non-partisan, unelected judicial institutions (constitutional courts) and embedding participation within 'political associations' or parties. Civil rights and pluralism were the two pillars of post-1945 democracy, promoting both supranational institutions of regulation and control (under the influence of the two superpowers during the Cold War and of the United States alone after it) and internal associations of citizens such as trade unions, racial protest organizations (in the United States) and women's organizations that questioned discriminatory legislation and behaviour in private and social relations. These internal groups dramatically enlarged the criticism of domination from below. The Beat Generation, which emerged from the literary movement of the late 1950s, was inspired by Allen Ginsberg and Jack Kerouac and launched a global movement of cultural innovation led by the young. It involved all forms of art (from pop art, exemplified by Andy Warhol, to abstract impressionism), music (the Beatles and rock music), cinema and, most of all, changes in the habits and mentality of ordinary people.

These phenomena were an exquisite product of democratization, which paved the way to an open society, self-reliant and impatient with existing power relations and traditional values. If 'our civilization

15 Karl Popper, *The Open Society and Its Enemies*, vol. 1, *The Spell of Plato* (Routledge, 1966), vii.

is to survive', wrote Karl Popper, 'we must break with the habit of deference'.[15] The moral imperative of subversion and individual liberation permeated the culture of the 1960s and even questioned the intellectual authority of the oldest hierarchical institution, the Catholic Church, which went through noteworthy transformations with the Second Vatican Council (1962–1965). As Herbert Marcuse prophesized, a 'radical change must be rooted in the subjectivity of individuals themselves, in their intelligence, and their passions, their drives and their goals'.[16] The widespread conviction that everyone had inalienable rights that no state could extinguish accelerated liberation struggles worldwide.

Constructing democracy within and through the nation-state was a hard task, with collateral damage in terms of government repression of minorities domestically and war internationally. In modern Europe, post-1919 nation-state borders fragmented old empires but 'offered no obstacle' to the building of new imperial states. The critics of Wilson's imperial ambitions cultivated their hegemonic dreams, which motivated different and even contrasting projects inspired by nationalist, socialist and cosmopolitan ideals. Conflicts between different world orders, which persisted throughout the twentieth century, underwent radical changes

16 Herbert Marcuse, *The Aesthetic Dimension: Toward a Critique of Marxist Aesthetics* (Beacon Press 1978), 3–4.

with the Spanish Civil War, whose atrocities foreshadowed the systematic annihilation of World War II and, in part, the subsequent partisan wars of liberation and resistance. Political freedom at home demanded a friendly international order.

At least until World War II, the fraternal enmity between sovereignty and democracy centred on issues of inclusion, both political and social, within the demos and primarily mainly played out within the boundaries of the state in the struggle between the classes existing in national society. After the war, that fraternal enmity focused on the enlargement of the domains of freedom and civil society and projected democracies beyond the borders of their states. This was an exigency of peace through cooperation but also of an enlarged view of life, creativity and the expression of human potentials. The process of democratization, as it were, followed from within the sovereign state, but its dynamic brought it beyond state borders. Democracy can hardly be contained, and when political regimes want to do so, they end up curtailing it and narrowing its potential. This explains why parallel to democratization, a process of international integration developed. Already in the aftermath of World War I, the creation of the first international institutions to govern the world

17 Carl Schmitt, *The Nomos of the Earth in International Law and the Jus Publicum Europaeum*, trans. George Schwab (University of Chicago Press, 2003), first published in 1950; Carl Schmitt, Writings on War, ed. and trans. Timothy Nunan (Polity Press, 2011).

economy, including the League of Nations and the Bank for International Settlements, presented a new challenge for the sovereign nations that the following question captures well: 'Is it possible to intervene in the national economic policies of sovereign states without jeopardizing their sovereignty?'

The Ideas of a Continental Union

The Greek myth of Zeus abducting Europe appears in Ovid's *Metamorphoses* as a case of seduction and loss of fear, starting with rape and ending with acceptance and trust. Through compromise and treaties, the vision of a European Union began to take shape just after the carnage of the two wars. It persisted through several decades, with varying fortunes and some setbacks, as seen in the opposition to the proposed constitution in referenda in France and the Netherlands (2005) or in the referendum on Brexit (2016), which sanctioned the first case of secession. The story of the continental integration process would require a chapter of its own. Nonetheless, there is no better way to open the present account than by referring to Carl Schmitt's definition of that integration as a system based on a *ius publicum europaeum* (European public law) or 'interstate right' and a legal order, which, however, never achieved the status of sovereignty.[17]

The aspiration for continental political unification spanned various political cultures, including

radical and conservative, Catholic, republican, and socialist. The twentieth century started with the Comintern (1919), the Labour and Socialist International (1921), the International Entente of Radical and Similar Democratic Parties (centre-left progressive parties) (1924), the 'Green International' of farmers' parties (1923), and the centre-right International Secretariat of Democratic Parties of Christian Inspiration (1925). In addition, several politicians and intellectuals proposed union schemes, including Austrian-Japanese politician Richard von Coudenhove-Kalergi, revolutionary Leon Trotsky, and Christian Democrats Édouard Herriot, Arthur Salter, Émile Borel, and Jean Monnet. Bertrand de Jouvenel, José Ortega y Gasset, Greek prime minister Eleftherios Venizelos, and Polish authoritarian leader Józef Piłsudski responded to fascism with 'federative' appeals aimed at centralizing state power. In 1929, Aristide Briand (eleven-time prime minister of France, a Freemason and a liberal internationalist), spoke at the League of Nations Assembly and proposed a federation of European nations based on solidarity, in pursuit of economic prosperity and political and social cooperation.

In the Catholic world, the guidelines of a post-totalitarian European order were outlined by Jacques Maritain and Emmanuel Mounier. Both took inspiration from Pope Pius XI's encyclical *Quadragesimo Anno* (issued in 1931 as a celebration of the *Rerum Novarum*'s fortieth anniversary), which

condemned fascism and communism as aberrations springing from the worship of the state (*statolatria*). The encyclical furthered subsidiarity as a scheme of social solidarity and mutual help (as opposed to centralized planning, both socialist and welfare-state oriented), a philosophy shared by the EU's founding fathers, many of whom were Catholic.

Finally, within the republican and liberal socialist tradition, the principle of self-determination inspired visions of a more robust programme of federation. Drawing on the ideals kindled by Kant and Mazzini, the authors of the *Manifesto of Ventotene* (1941) imputed war and tyranny to the absolute prerogative of national sovereignty and proposed federalization both within and among states, along with social policies rebalancing disequilibria among societies and promoting the dignity of the person. The *Manifesto* was written on a small Mediterranean island, Ventotene, where the fascist regime confined some opposition leaders, among them philosopher Eugenio Colorni, his wife Ursula Hirschmann, publicist Ernesto Rossi, and political leader Altiero Spinelli, whose role in relaunching the project of European integration in the 1980s was crucial.

Although the idea of European integration stretched back to the early decades of the twentieth century, concrete steps toward integration occurred only after World War II. Europe started its cooperative trajectory with the treaty establishing the European Coal and Steel Community

(1951), followed by the treaties establishing the European Atomic Energy Community (1957) and the European Economic Community (via the Treaty of Rome, also signed in 1957). Without becoming a federation, the EU federalized national societies through norms and regulations. Subsidiarity was the engine directing the entire project of European solidarity. Several treaties of 'accession' for new member states increased the members of this European experiment from six to fifteen by 1991, guaranteed freedom of movement within the EU (the Schengen Convention, 1985) and constitutionalized the federation via the Charter of Fundamental Rights of the European Union (2007). The adoption of a single currency, the Euro, occurred on January 1, 2002. Meanwhile, the establishment of the European Court of Justice (ECJ), the European Court of Human Rights (ECHR) and the European Central Bank (ECB) completed the complex apparatus of an experiment in continental integration characterized by weak democratic legitimacy and strong regulatory practices embedded in each member state.

The project of 'perfecting the union' was interrupted and relaunched throughout the years. However, the financial crisis of 2008 revealed its gravest insufficiencies and, moreover, exposed the unequal power among the member states (the 2020 socio-economic crisis caused by the Covid-19 pandemic appeared to avoid those pitfalls). Another negative consequence of the 'imperfect union' was the devolution to each government of the power

to decide on immigration and integration policies, which exacerbated nationalism in the countries at Europe's borders. The growth of xenophobia in several European countries and the shaking of constitutional democracy by some member states (the reforms in Hungary from 2012 onward and in Poland in 2017) put into question the strategy of 'constitutional functionalism' as the sole regulatory and administrative method of integration.

Yet, by the end of the second decade of the twenty-first century, the EU displayed a resilience capable of surviving unpopular decisions and resentment towards a distant (yet not fully discredited) 'Euro-bureaucracy'. The many treaties enveloping the member states had created a European civil society by encouraging national legislation to advance emancipatory initiatives, for instance, the European Commission's promotion of equal economic independence for women and men, closing the gender pay gap, advancing a gender balance in decision-making and ending gender-based violence. Moreover, Brussels' unwavering demand that foreign companies adjust their conduct and production to EU standards is a stringent strategy with significant strength in the issues of health, the environment and hate speech in social media. Education is another successful chapter of European integration, manifest in the Erasmus programme established in 1987 (based on an acronym for the European Community Action Scheme for the Mobility of University Students),

an initiative run by the EU that provides opportunities for students to study or gain work experience in a different European country while completing a degree. Other important projects in support of research and academic exchanges are the European Research Council (ERC), the Max Weber and Marie Curie Fellowships and other initiatives open to all citizens of the EU, such as the Lifelong Learning Programme, which includes Erasmus, the Leonardo da Vinci programme, and the Grundtvig programme. Cooperation in the field of young and adult education is perhaps the most important exemplification of the emancipatory ambition that the EU's project cultivated in trying to keep freedom, peace and well-being together.

Today, the demand for individual nations' sovereignty no longer stands out among the many international institutions that consider it essential to intervene in governments' choices and influence national policies. Sovereignty is the structure of the political order in such a way that those who aspire to govern society must make themselves sovereign. The image of sovereignty as a contested terrain enables us to grasp the significance of the current struggle of nation-states to reaffirm their sovereignty and its implications for the EU project.

The movement we are witnessing in non-imperial Western nations (actually, all nations except the

18 Anthony Pagden, *The Pursuit of Europe: A History* (Oxford University Press, 2022), 204–5.

United States), identified as 'sovereignism', started at the end of the twentieth century; it assumes democratic sovereignty as a given to be protected and reasserted. Sovereignism is not about winning political rights or inclusion in the demos (except for newcomers, who are a mark of globalization against which sovereignism mobilizes itself and speaks the language of ethnic and xenophobic nationalism). The point of contention is not so much the democratic transformation of sovereignty, as in the past, but rather what the sovereign state can do, namely, its actual power. The claim of sovereignism designates a context in which supranational entities (extra-national and extra-political) challenge the power of the sovereign state over the national government, for instance, its authority to freely decide what economic resources to allocate, what social policies to pursue, whether AI can be regulated and whom to tax. At least from Bodin onward, these areas of decision-making were believed to be the prerogative of sovereign power. Today, sovereignty over these areas is an object of contention and is being challenged by extraterritorial and extra-political actors whose power to influence decisions at the state level is enormous and complex to contain. 'Schmitt's basic contention – that in the modern world, most nation-states are simply too small to survive on their own; that they can, therefore, only remain sovereign within certain limits (...) has become the reality of most international relations in the Cold War and post-Cold War era'.[18]

II.
Sovereignism

A Populist Story

The origins of the word 'sovereignism' are French and go back to the 1950s and the Gaullist reaction to the birth of the European Community (the Treaty of Rome was signed in 1957, the year before Charles de Gaulle became the president of France). Its success as an ideology is more recent, however. It can be located in the age of the triumph of the European supranational project – the Maastricht Treaty (1992) and the adoption of the Euro (2002). Member states' attempts to recover their sovereign power arose in antagonism to the EU, when the latter wanted to be more than a functional alliance and aspired to achieve a political identity. Sovereignism began as a European story.

However, being circumscribed to a specific continent and political experience does not make sovereignism a local or theoretically peripheral phenomenon. Underlying the claim for the recovery of national sovereignty is resistance to a global

process in which non-political actors aim to gain imperium over societies, the same that territorial states acquired in the modern era and upon which constitutional and representative democracy was built. Sovereignism is thus a European ideology that signals the existence of a global problem. It reflects an ongoing transformation, with sovereignty as a coveted prey for supranational, not necessarily political, agents. In sovereignism, as in any political ideology, two drives converge, one propositional or positive and one oppositional or negative.

According to the, sovereignism is a political position that advocates the defence or re-conquest of national sovereignty by a people or state, in opposition to the dynamics of globalization and in favour of supranational policies of concertation.[19] The first drive, also called 'propositional thrust', exalts the centrality of decision-making power at the state level and aspires to increase it in the name of democracy, understood as majority power. This thrust can be identified in some contexts with autonomist and separatist claims. For example, in multinational states, sovereignism can translate into a demand for the autonomy of those territories inhabited by a national majority (a minority compared to the country's population). This is the case

19 *Enciclopedia Treccani*, 'Sovranismo', accessed 22 March 2025, https://www.treccani.it/vocabolario/sovranismo_%28-Neologismi%29/ (my translation).
sovranismo_%28-Neologismi%29/ (my translation).

in French-speaking Quebec, which, since the 1960s, has given rise to a political and cultural movement for national independence. However, the sovereignism I refer to in this essay is different.

It is directly related to decision-making power and can easily be met with populism. As argued by political scientists, populism in government is a form of extreme majoritarianism, with an intolerant posture toward pluralism (and party democracy), which would, as the argument goes, disunite the body politic and weaken the will of the majority. In European countries, sovereignism and populism merge and claim members states' control over their society and majority control over politics, even at the cost of flattening the distinction between sovereignty and government. Populism in power revitalizes the myth of the people sovereign-as-one and, in this sense, can become the voice of sovereignism. The second above-mentioned thrust – antagonistic – affirms the centrality of national sovereignty against external interference. It is a propaganda-driven discourse that right-wing and populist movements use to attain consensus in electoral competition or distract the audience from national problems when they are in government.

These two ideological thrusts of sovereignism, positive and negative, intersect and gain strength in contexts of crisis of political representation and ineffective decision-making in the face of global dynamics. In current political usage, they circulate predominantly in Europe but also in the United

States, even if the latter's hegemonic imperial power seems more successful in celebrating the sovereign's absolutist decision-making absolutist paradigm. The populist president Donald Trump's statements 'America first' and 'Let's make America Great again' express an ideology of opposition to globalization on nationalistic and 'protective' grounds, be it the protection of the nation against immigration or of the US economy's global hegemonic role.

The European case is different. In recent decades of continental integration, we have witnessed the reassertion of national sovereignty at the member-state level as a movement of anti-European autonomism. Rather than a manifestation of global hegemonic protection that fears decline (as in the US), sovereignist ideology in Europe is a counter-reaction to the weakening of the member states' power, a revolt against European supranational governance in the economic, administrative and political spheres. Its first spectacular outcome was Brexit (2016), the referendum through which the British people 'took back control' of their sovereignty from an external supranational union.

After being dormant since the Gaullist era, sovereignism resurfaced in the Netherlands and France with the referendum campaign against the

20 See at least the collection of essays devoted mainly to the growth of populism in Europe, titled, *Democracies and the Populist Challenge*, eds. Yves Mény and Yves Surel (Palgrave, 2002). The volume was the result

Maastricht Treaty (2005) and was then resurrected in France as a political slogan by Front National leader Marine Le Pen in 2012, when she announced the birth of a 'souverainiste et patriote' coalition that sought to soften her movement's neofascism and give it a democratic veneer with a direct reference to the sovereignty of the French nation in the republican tradition of the country. A similar resurgence of the right through sovereignism has occurred in Italy with former fascist groups.

Interestingly, before Maastricht, these right-wing movements did not cultivate sovereignist ambitions. They were still primarily interested in anti-democratic projects, such as burying multi-party parliamentary democracy and restoring some form of authoritarian government. However, the reaction to migration from Africa and the massive entry of cheap goods from Asian markets unleashed a vast movement across the old continent along the lines of a nationalist revival that targeted both the integration process and the politics of porous borders. In Europe, the reaction against the EU paved the way for the populist transformation of existing right-wing parties, which political scientists have called 'national populism'.[20]

This process occurred almost simultaneously with the increase in EU governance, the regulatory

of a series of seminars held at the European University Institute of Fiesole in the mid-1990s.

sovranismo_%28-Neologismi%29/ (my translation).

uniformity that Brussels adopted in vital socio-economic sectors, and the ever-expanding power of the human rights system the EU imposed over, and sometimes against, member states' executives. Political scientist Paul Taggart lists four factors leading to a 'new populism' that emerged under the pressure of the EU: the politics of rights, the collapse of regimes in Eastern and Central Europe in the 1990s along with the enlargement of the EU, the sense of a 'crisis of legitimacy in many liberal-democratic regimes due to the decline of political parties and social policies, and the process of European integration, both in and by itself and as a subchapter of the broader process of globalization.[21]

Right and Left Sovereignism

As said above, the ideological core of democratic sovereignty has historically been nurtured by two notions: *ethnos* and *demos*. The former expresses a pre-political cultural identity (the nation), while the latter represents a political identity (the people). Although not all sovereignist ideas are ethnocentric-nationalist, the merging of *demos* and *ethnos* has never entirely succeeded, and the tension between these two sources of collective

21 Paul Taggart, 'Populism and the Pathology of Representative Politics', in *Democracies and the Populist Challenge*, eds. Yves Mény and Yves Surel (Palgrave, 2002).

sovereignty resurfaces whenever a crisis of the sovereign state tests national solidarity and its democratic character.

Throughout the twentieth century, the worst face of these ethnic ties was often displayed, and at times, concocted by demagogues or populist ideologues. Not all right-wing parties have become populist, and not all populist movements are deeply xenophobic, as Cas Mudde has argued.[22] However, when right-wing parties did transform into populist parties, this occurred along with the erosion of democratic welfare and the republican cement of national solidarity. Xenophobic ideas spread as a kind of emotional reaction of the middle classes and unionized workers to the decline of the welfare state and job opportunities. Thus, in the aftermath of World War I, a similar erosion had the nefarious power to open the door to an angry and violent populism that derailed liberal states into fascism. Since then, the crisis in welfare policies has gradually escalated following the 1971 revocation of the Bretton Woods agreements. With the end of the Cold War in 1990–1991, nationalist ideologies resurfaced, reconfigured with populist interpretations of democracy or as justifications for hyper-majoritarian governments.

Sovereignism emerged in a new anti-European guise in twenty-first-century electoral campaigns.

22 Cas Mudde, *Populist Radical Right Parties in Europe* (Cambridge University Press, 2007).

In various European countries, the public has been presented with a nationalist fervour, arguing that democratic sovereignty must regain authority over the national interest against the EU's technocracy. With the 2008 financial crisis, sovereignism took on the guise of the will of the majority against the decisions of Brussels, which were unfair to many and not fully democratically legitimized. In Italy, the shift to populist sovereignism was caused by Matteo Salvini's Northern League. This party popularized an idea that was already rooted in right-wing movements (e.g., the Gaullist-inspired 'National Movement for Sovereignty' in 2017) and would soon join forces with far-right movements around the narrative of a national sovereignty humiliated by Brussels and to be redeemed. However, sovereignism is not unknown to the left.

While the success of sovereignism among right-wing forces is plausible, how do we explain its not always cold reception among the left? The European left's relationship with nationalism has been complex, especially within the reformist left. Here, the internationalist legacy lost momentum during World War I, when all social democratic parties declared their allegiance to their home nation against other nations, except for the Italian Socialist Party, which declared itself 'neutralist'. After the end of Nazi fascism, the social policies of Northern European industrial countries for immigrants from weaker European countries (first from the south and then from the east) were not a true example

of equal treatment and worker solidarity. Worker internationalism has often and willingly stopped at the gates of the 'national interest' and also welfare policies. More progressive were the liberal socialist movements that emerged in the clandestine struggle against fascism, which, already in the 1930s and 1940s, initiated the concept of European constitutional democracy and cooperation among European peoples. The above-mentioned *Manifesto of Ventotene* (1941) is one of the best-known documents in which the national dimension of democracy is mitigated within a federalist project of continental unity. The tradition that inspired the Ventotene group led by Altiero Spinelli dates back to eighteenth-century constitutional republicanism and posited itself as the democratic component of a process of international cooperation aimed at combining civil and political freedom with peace.

Ultimately, one could argue that the success of sovereignism on the right is deeply rooted in and consistent with its ethnonationalist ideology. At the same time, its somehow sympathetic reception by the reformist left, although marginal, is disturbing and more challenging to detect but not absent. I argue that sovereignism reinterprets the principles of solidarity that have inspired socialism since the nineteenth century – internationalist and humanitarian values – attributing the source of social injustice to the interests of a cosmopolitan and never merely national capitalist class. In an attempt to distinguish itself from ethnic nationalism, left-wing

anti-Europeanism has, on the one hand, tended to identify politics with state decision-making, prioritizing the democratic will over external forces, and, on the other, to associate supranational decision-making sites with the cunning of globalist capitalism. A convergent tendency in the name of democracy is detectable throughout the entire ideological spectrum, namely to give politics an essentially sovereign-centric dimension. On both the right and the left (although less deeply and extensively), European sovereignism may find support from those who identify democracy with the will of the majority and populism. In conclusion, the galaxy of sovereignism is multicoloured and, at times, intricate, comprising 'conservative sovereignism', 'neo-sovereignism', and 'archeo-sovereignism'.[23]

The Global Theatre of a New Struggle

As political scholars, we should evaluate the quest for sovereignism by considering two historical and conceptual paradigms: one related to the state form of sovereignty and one related to democracy. First, sovereignty is a modern category that has been elaborated and employed in contradistinction and reaction to a specific externality constituted

23 Delphine Alles and Bertrand Badie, 'Sovereigntism in the International System: From Change to Split', *European Review of International Studies* 3, no. 2: 5–19.

by imperial (ecclesiastical and secular) entities. Second, the stabilization of nation-state sovereignty after the Westphalia Treaties (1648) became a symbolic condition for the growth of modern democracy. However, in nation-states, sovereignty never merged with democracy, as we have seen above. External challenges inherent in the nature of empires and the complex character of democracy, as both a form of government and a form of political action by free citizens, serve as the two reference points that ground a reasoned critique of sovereignism.

The claim for greater sovereign power at the state level in the current global context does not seem attentive to the specificity of the new external challenges to sovereignty, which come not from pre-modern imperial and cosmopolitan actors, such as the Church of Rome and the Christian Roman Empire, but from post-industrial techno-financial potentates that have arisen in economic society thanks also, ironically, to the regulatory power of nation-states and their financial support in the early phase of state-building.

These new potentates have expanded their prerogatives to challenge the state's sovereign power. Born in the shadow of a sovereign power that unified the legal and administrative order in defined territories against the pluralism of castes and feudal orders, the protagonists of global techno-financial society today are so strong and autonomous that they look subversive in relation to the

sovereign state because they are capable of creating their own international decision-making bodies. Challenging states' civil justice systems, these anti-political global potentates seek to impose their interests, against and above those of the states and their democratic citizenry. Globalization is the theatre of a struggle for sovereignty, no longer between states or classes within a nation but between non-political actors (corporations) and nation-states under the aegis of rights. As legal scholars have shown, whereas human rights have traditionally been championed and enacted to protect human dignity and essential interests, today they seem to be appropriated by corporations to protect their transnational agreements and claims against states.

The empire with which democratic sovereignty is confronted today is characterized by finance and technology, two forms of power that are endogenously extraterritorial and significantly reduce the decision-making capacity of states in some key domains, such fiscal policy, one of the cornerstones on which modern sovereignty was built. Financial potentates can cross state borders with their assets and interests to evade state fiscal administrations, and they turn security (prison and military systems) into a business that states let them run. Taxation, defence and domestic security – the prerogatives of sovereignty – have become domains of private corporate business. The crisis of redistribution policies is also the result of a transformation of capitalism

from national to global, from industrial to financial. Sovereignism is a reaction against this expropriation of sovereignty.

However, the sovereignist assertion of state sovereignty is not only unable to solve the problem of the structural weakness of national politics in relation to finance and technology but also indirectly co-responsible for an incremental advantage of global forces. The international conventions to which national sovereignties have adhered through the years recognize the principle of limitation of state power with respect to human rights, including the right to property and trade, to ensure an open market for the free movement of goods. Therefore, either international human rights politics are challenged or a path other than sovereignism must be sought.

The interesting fact is that changing international human rights statutes – for example, by reaffirming the priority of individuals over fictitious persons such as multinational corporations or by assigning power to sovereign states to prevent capital flight from taxation – would only be possible through an increase in sovereign power at the international level. In short, if sovereignists were consistent, they would have to think about how to rearticulate sovereignty in a world that is highly interconnected by systems of laws, treaties and conventions. Political theorist Philip Pettit wrote that if freedom is non-domination (as republican theory advocates), then a principle of political legitimacy

should be available to all people. Thus, he argues, a republican idea of international sovereignty should be considered the most advanced frontier in this global age.[24] Although, like Pettit, I have little to say about this theory, I propose a share of sovereignties rather than a reaffirmation of individualistic and jealous sovereignties.

If Sovereignists Were Consistent...

Born in the disorganized empires of the feudal age, state sovereignty today faces a challenge of another kind: an empire driven by oligopolistic corporations that claim their 'liberty' in the name of human rights. If, at the beginning of modernity, the assertion of state sovereignty decreed the rupture of the existing imperial unity and was the winning strategy for the construction of a new international order – based on autonomous states that ruled territories and equal subjects with no external interference – today's condition is very different. It requires cooperation and, in some cases, a kind of federative union of state sovereignties; that is, an increase in and articulation of sovereignty at the supranational level to counter the pulverization of sovereign statehood.

24 Pettit, Philip, *On the People's Terms: A Republican Theory and Model of Democracy* (Cambridge University Press, 2012).

This may, after all, be a precondition for the very protection of democracy, which at the state level does not have as much power to assert the interests and rights of its citizens as techno-financial multinational corporations have to assert the interests and rights of their shareholders. While this imbalance between rights and sovereign power in favour of rights was welcome when rights were essentially defined in relation to concrete or natural individuals, it can become a devious ploy if human rights are captured by conglomerates such as corporations. The slide of sovereignty from states to multinational corporations is attested precisely by how fundamental human rights are used to protect the latter.[25] In the face of this imbalance between law and power, a regression to traditional sovereignty or to the sovereignty of individual states cannot safeguard the political claims of the latter's citizens. But a strategic share in (or increment of) the individual states' sovereignties can.

Sovereignism re-proposes what sovereignty was in early modernity: a state's claim to absolute decision-making power over external (empires or other states) and internal (classes and orders) potential obstacles. This sovereignism sees the EU as an obstacle. Can it be an opportunity instead? Should the EU be seen as a potentate in the same

25 Turkuler Isiksel, 'The Right of Man and the Right of Man-Made: Corporations and Human Rights', in *Human Rights Quarterly* 38 (2016): 294–349.

way as the Holy Roman Empire or the Church of Rome in the sixteenth and seventeenth centuries, or should it instead be seen as an opportunity to enhance the political power of European territorial states?

The kind of sovereignty that sovereignism claims vaguely resembles that early modern contention between autonomous territorial states and cosmopolitan imperial power. However, the difference is striking, for sovereignism grows out of two and a half centuries of state-based stabilization of popular sovereignty and unification of legal and commercial rules, not only at the national level but – thanks to treaties signed by states and international regulatory bodies – also at the supranational level. This is the context in which the discourse of sovereignty, as a powerful political instrument, should be situated today.

The struggle that led to national sovereignty showed that the construction of sovereignty, with its ambition to simplify and unify the legal bureaucracy and military order, successfully challenged obsolete and disorganized potentates. In early modernity, state sovereignty emerged as a counter-force to declining forces. However, in our time, national sovereignty no longer plays that avant-garde role.

Instead, it is a reactive power resisting new challenges by more substantial and capable actors. Sovereignism entails a defensive and rearguard struggle. Non-political, supranational entities are

now the agents that challenge the modern state order, and they do so precisely in the name of those civil rights that state-building managed to enshrine – as mentioned above, in the modern age, rights versus sovereign power led to the construction of republican and constitutional political systems. Considering the new context in which we find ourselves, the claim to the nation-state scope of sovereignty seems to be a sign of weakness.

We thus return to the starting point – the EU can be the advanced trench for those who see the reorganization of sovereignty as an indispensable tool in the struggle for equal civil rights and political freedom against both private and imperialistic potentates. Forms of sovereign states' aggregation appear to be the best friends of the sovereignty and democracy pair.

Therefore, to be consistent, sovereignists should recover the internationalist dimension present in the nineteenth- and twentieth-century democratic tradition and adapt it to the context of global powers that try to subordinate national sovereignties to their interests. A union of sovereignties has more capacity to reassert sovereignty. This practical maxim is obviously reasonable if one concedes that sovereignty can be exercised in forms and by forces other than autonomous nation-states. Of the two trajectories of sovereignty mentioned at the outset, the one represented by Montesquieu and the other represented by Rousseau, it is the former that is more receptive to the federative impulse.

Is It Simply a Question of Incoherence?

The sovereignists' lack of consistency requires some explanation, as it is hardly the result of a logical fallacy. Whatever the tactical reasons that guide sovereignists, the contradiction between closed borders for humans and open borders for multinationals is a false contradiction with an anti-democratic drive that overlaps with anti-Brussels populism. It reveals the political culture of new right-wing movements.

The post-social-fascist right wing has no intention of restoring the state's role in society to what it was like in the first half of the twentieth century. It aims to grant the largest possible latitude to private interests, assigning the state the task of protecting property rights and maintaining law and order. Since the Cold War and its concerns with radical democracy, the tension between the right and the left has been played out in the interpretation of liberalism. The era of social fascism, which emerged to block democratization at the cost of overflowing into a totalitarian practice, is over. The post–World War II right wing, incubated during the Cold War, has gradually evolved into a celebration of economic liberalism. The twenty-first-century right wing, whose role model to honour and emulate is the wealthiest man in the world, Elon Musk, is absorbed in neoliberalism. It reduces all liberalism to economic liberalism, jeopardizing the culture and practice of civil rights and political liberalism.

Against this trend, we need to distinguish between economic and political liberalism. The freedom of opinion, association and religion belong to the latter as conditions of political freedom and democracy. Neoliberalism today is inimical to democracy, and the new right wing is representative of this new course.

In December 2024, Javier Milei and Giorgia Meloni opened the Atreju fair in Rome with the slogan: 'Work free from rules', a nod to social Darwinism and the mark of a different kind of right-wing approach compared to the social-corporate one based on a strong state. The old social-fascist state aimed to eradicate the practice of political and trade union associations and repress the struggle for social justice and the demand to end servile job relations. The new radical right wants social relations to be based on inequality and hierarchy as well. Today, too, the right wing spreads the religion of work and self-help, following the same hierarchical logic of fascism that used subjugation in the workplace as a preparation for obedience and sacrifice.

However, today, the new right can pursue all this through a minimal state, not needing a state that suffocates all of society to silence a few. A neoliberal gospel now does the job, without the need for repression. Self-employed workers are individualized and dissociated, and there is no need for a grim state to prevent them from uniting or for fascist militias to use truncheons: their enemies

are their fellow human beings, the struggle for well-being is fought among self-employed workers, not against now-invisible global bosses and CEOs. The subordinates have been made into bosses, and labourers compete with one another. The liberalization of labour has disconnected work and socio-economic relations so that today, the authoritarian state does not have to work hard, nor does it need fascist militias to police workers. The ideology of competing private interests has conquered the worse off through the gospel of merit and individual responsibility for one's destiny.

The old and the new right have the same life maxim: work, obedience, money. This trinity does not contemplate what work aspired to be with democratization: the contribution of each to the good of society as equals under the law, also with respect and dignity for each person and with the certainty of equal power in participating in decision-making, as the EU treaties claim as well. The old and the new right wings have similar views on deserving inequality, but their context has changed. Their opportunism lies in their guiding principle, which is defending the prerogatives of social hierarchy. To be illiberal, the twenty-first-century right wing does not (yet?) have to use dictatorial methods. It is functional in a disintermediated and radically individualistic society, in which people are connected through the Internet, acculturated with the rumours and unchecked news from social media owned by multinational corporations, whose

goal is to make sure governments are friendly to them. Leaving plenty of room for Musk, who is part of this transformative process.

III.
The Need for a More Perfect Union

An International Order of Autocratic Potentates

Consider how the EU determines the rules of the global market and conditions corporate capitalism in response to challenges from sovereign national giants, such as the United States, China and Russia, as well as economic giants. The EU promulgates regulations that, like traditional sovereign regulations, significantly influence the market regarding the production and trade of goods in Europe and worldwide. The rich and important market that the old continent constitutes is a force endowed with deterrent power all over the world – a case in point being the regulations the EU has imposed on multinational corporations in recent decades, for reasons of health, welfare and the rights of its citizens. Regulations on privacy and the types of speech allowed on the Web reclaim power from high-tech companies and communications giants. Equally important is that European product control standards affect supply chains worldwide – for

example, wood produced and traded in Brazil, or toys and sanitary and food materials from China or Southeast Asia. In every part of the world, European standards impose themselves as a profit-limiting system in the name of product quality and consumer rights. The EU's actions in this area are practical and positive for everyone. Anu Bradford has proposed 'the Brussels effect', as the EU is an 'enormous unilateral power to regulate global markets'. Without needing to utilize international institutions or appeal to a sovereign will, the EU has demonstrated that it can shape the global market environment, leading to a strong Europeanization in many important areas of global trade.[26]

Unlike China, Russia and the United States, which possess imperial national sovereignty, the EU has developed its own forms of regulatory power. The empire of regulation has demonstrated its capacity to address one of the causes of sovereignist bias, albeit in a still limited manner, compensating for the absence of a sovereign continental political government. Just as Al Capone was imprisoned through a legal loophole (arrested for tax fraud, not for the murders he committed, for which he was still being prosecuted), global capitalism can be contained with indirect weapons. The EU fits into this context and serves as a model of

26 Anu Bradford, *The Brussels Effect: How the European Union Rules the World* (Oxford University Press, 2020), xiv.

incremental sovereignty, possessing the power to shape new forms of imperialistic powers through its normative influence. Thus, it can correct asymmetry among states or limit multinational organizational powers. The weapon of rights and norms – exposed as being used for reasons other than the interests of peoples and individuals – makes the EU an agent that can represent citizens' and peoples' interests worldwide. Above all, the Covid-19 pandemic gave widespread prominence to this scenario and showed the strength of the union of sovereignties.

The pandemic highlighted the limits of identifying sovereignty with the jealous assertion of the interests of one sovereign people above, aside and before all others. The distribution of affordable vaccines to all member states was an unprecedented decision in the West and, more importantly, a paradigmatic example of the virtues of an enhanced sovereign power at the supranational level. Despite this success story, however, people are still predominantly subjected to decisions that fall outside their regulatory power and can easily be influenced by international corporate interests. There is no alternative to globalization. It is then a matter of governing the life of the human species. The world does not suffer from over-integration and the loss of individual sovereign states; it suffers from imperial national sovereignties and the quasi-sovereign power possessed by non-political actors, such as economic and financial multinational corporations.

The pandemic has highlighted that the containment of corporate globalism's power will not come through national isolation but through association among and the integration of sovereignties, which means considering that all peoples share the same destiny, as the visionary Mazzini understood. In his *Perpetual Peace*, Kant wrote that societies would perforce be induced to cooperate, taking humanity into account beyond individual states, which would undoubtedly remain necessary and would gradually be governed by constitutions that protect citizens' equal rights to freedom and the cosmopolitan rights of all persons. Within this framework, spheres of life must be subject to a shared rights system. In turn, these spheres will have to respond to the interests of humanity and, thus, to the interests of each individual. This will be necessary when the communication system makes us, to some extent, participants and judges in what happens beyond our national borders. At that point, the resistance to cooperating and imposing norms on each other will capitulate – not out of humanitarianism or global appeasement imposed by one part, but out of convenience, that is, out of an expression of self-determination on the part of all. This was the logic of Kantian discourse. We need more than that today, as the free market is retreating because of the formation of oligopolies, which create de facto monopolies.

The new millennium began by revealing the short-sightedness of nation-states' jealous and protectionist sovereignty, the pursuit of closure and

the limitation of free commerce as if this were in the interest of the many. The policy of tariffs and the dismantling of anti-monopoly provisions adopted by the Trump administration encourages the growth of relations amongst states based on the criterion of asymmetry between those that dominate and those that are dominated, not only militarily but also in international relations in general. The proposed path is one state's imperial domination of a large part of the world. Europe should submit to the domination of the United States. This entails the end of cooperation among allies on the condition of reciprocity, instead leading to relations led by a logic of wealth extraction by the dominant party. This radical change in the government of the United States has exalted the existence of another model, which the EU represents: the transnational cooperation between societies and peoples.

The dualism between domination and cooperation has never been so explicit among former allies. The time has come to overcome the logic of unintended consequences, to which Kant entrusted the construction of an international constitutional order based on right and the law. Grave emergencies and a new political and economic climate force European states to go beyond regulatory practice and initiate a constituent process. We need a more cohesive Europe with less heterogeneous leadership and more effective decision-making power. We need all of this with the participation of citizens in the constituent process. The pandemic, climate change,

a war in Europe, and the new US government policy are conditions of enormous momentum that push us beyond the Kantian paradigm: here lies the urgency of setting political will in motion.

Let us draw inspiration from the Recovery Fund negotiations, which began in the early months of the Covid-19 pandemic, to provide for coordinated interventions in response to the foreseeable economic downturn and the need to inject new investments in health infrastructure. These negotiations have demonstrated the significant scope for political will and the considerable potential for enhancing sovereignty beyond the traditional limits of the nation-state. The EU has demonstrated that it has the political will to navigate the post-Covid-19 era, representing a new model of sovereignty that is suited to an inherently supranational social and political community.

Climate, health and peace are spheres of global governance because they concern global goods that cannot be achieved or protected by individuals alone. These are paradigmatically interconnected spheres that reveal the paucity, and now also the danger, of sovereignist and protectionist attitudes that reject the responsibility of individual states in addressing issues, such as the Covid-19 virus, that require a coordinated policy response. Climate, health and peace are 'shared challenges' for individual sovereignties, and therefore, they are binary, whereby either all countries meet common goals or none.[27] Either we work to meet the conditions of

survival that affect everyone, or there will be insurmountable problems for all. Nature and health are goods that belong to each and all of us; in this sense, they are global commons. Sovereignty and democracy meet at this frontier.

Let us be clear: this frontier also recurs at the European level, and not only because of the democratic deficit from which the Union suffers. One weakness that must be addressed as soon as possible is the influence of private companies that lobby and exert their interests on EU institutions. This weakness emerged in the EU's response to the Covid-19 pandemic, which also had a weak side that is not discussed enough. The response showed how the EU can work together in an enlightened way by arranging to protect the health of its citizens and devising a common intervention to activate a recovery fund. However, it also showed that the EU was not strong enough to go against the power of pharmaceutical companies, as in the case of vaccines and intellectual property rights. If the EU wants to preserve its raison d'être and gain persuasive strength against sovereignism, it urgently needs to show its determination to impose limits on the global monopolists. The nature of capitalism today is impervious to regulations by political

27 Mario Draghi, 'Mario Draghi on the Path of Fiscal Union in the Euro Zone', *The Economist*, September 3, 2023, https://www.economist.com/by-invitation/2023/09/06/mario-draghi-on-the-path-to-fiscal-union-in-the-euro-zone.

actors and to the rationale of the free market, which the community of European states was also established to guarantee. Antitrust regulations, which played a prominent role in building the regulatory strength of the Union, are remarkably silent or even defunct today. European antitrust regulation developed from two central rules set out in the Treaty on the Functioning of the European Union in Article 101 and Article 102: the former prohibits cartels that dupe the market and restrict competition, and the latter prohibits firms holding a dominant position that can charge unfair prices from limiting production or refusing to innovate to the prejudice of consumers. These articles are powerless if EU institutions do not enforce them.

This is further proof of two things: first, the EU must get out of the quagmire of local issues and make member states understand that it is in their interest to have a continental-level counter-force against the aggressiveness of monopolistic capitalism, today embodied above all by the government of the United States; second, the EU needs a unitary political will to be able to face the risk coming from global monopolies. Once we agree that it is unrealistic for individual sovereignties to resist this risk, we must conclude that it is necessary and urgent that the EU demonstrates a supranational level of decision-making effectiveness that can compensate for the systemic weakness of individual sovereignties. However, at this point, as we mentioned above, the question is one of political will. The *doux*

commerce idealized by eighteenth-century visionaries of peace through freedom is no longer. If the EU persists, it must be because of an expressed will. No spontaneous mechanism and regulatory practice will do the job. This is the lesson from another, more demanding issue: generative artificial intelligence. This will soon become the most difficult challenge for the EU, given that no European companies exist that produce it. How do we confront the challenge coming from the techno-oligarchs of Silicon Valley, now that they have conquered the political power of an imperial state?

The Challenge of Generative AI

The domain of generative AI innovation is not among the life-threatening domains of climate, health and war. However, it must become an issue of supranational governance, because democracy's survival will soon depend on the ability of democracies to test their political strength against the lords of high-tech. We have seen above how democracy is not just suffrage but also public deliberation that generates opinions and prepares for decisions; it is a diarchy of *isonomia* (the equal right to power, or one head, one vote) and *isēgoria* (equal power to have a public voice). The protagonists of informal deliberation in civil society are those citizens who voluntarily and freely participate in associating in civil aggregations and parties. Today, AI forcefully

intervenes in this process, determining opinions and, therefore, decisions with devious strategies. These transform the public sphere of discussion into a coliseum in which speech is used to create false news and destroy political opponents, with propaganda campaigns that dwarf those of the Nazi-fascist movements and governments of the 1920s and 1930s. The question of AI has become a question of democracy.

Annette Zimmermann's soon-to-be-published book *Democratizing AI Deployment* argues that modelling AI agenda-setting on democratic procedures is a must today. She takes the EU regulatory policy as a template. The current dynamics of AI deployment pose a distinct and philosophically interesting democratic problem, given that industry-based deployers are usually neither directly nor indirectly democratically authorized, and given that they de facto have largely uncontested agenda-setting powers. AI deployment is currently a highly anti-competitive environment for agenda-setting.[28] The fact that AI companies are monopolies entails an asymmetry of power in AI agenda-setting, which should instead follow the same logic of public accountability as all other intermediation and agenda-setting in a democratic society. Mariana Mazzucato reminds us that AI is not 'just another sector' and is going to shape all domains of the economy; it is 'not a neutral

28 Annette Zimmermann, *Democratizing AI Deployment* (Manchester University Press, forthcoming), 12.

technology', and although it can develop freely, 'it would need to be powered and deployed, which requires access to the gatekeeper's cloud computing platforms – such as Amazon Web Services, Microsoft Azure, and Google Cloud'.[29] Whatever these giants seek to do (i.e., overcoming the state and 'rebooting medievalism as a model of justice'), containing and controlling them requires a more muscular democratic state and coordination among states. Whereas it is unrealistic to hope for a democratic global government, aiming for states' cooperation in regulation seems realistic. The EU is the best example of how sovereigns can challenge transnational powers (for example, in fiscal matters).

Two domains of agenda-setting should receive attention: the distribution of benefits and risks and the issue of acceleration in experimental temporality. Both show the radical nature of the conflict opposing oligarchy to democracy and an unprecedented tension between individual liberty (as liberty from state interference) and political equality in democratic societies. Disagreement about the length of experimental temporality is disagreement about the fundamental power to establish criteria for the distribution of risks and benefits. We may detect two approaches to harm in the

29 Mariana Mazzucato, 'Resisting Digital Feudalism', *Project Syndicate*, February 7, 2005, https://www.project-syndicate.org/commentary/ai-digital-feudalism-inevitable-unless-policymakers-step-in-to-shape-markets-by-mariana-mazzucato-2025-02.

question of duration: a short-term and a long-term one. The first requires ex ante control of possible harm, and the second ex post control of harm suffered. 'Short-term' suggests adopting not only a reactive approach to a given fact (or innovation) but also exercising control over the dynamics of innovation before embracing or adopting it on a large scale: the goal is to put the public (our interest) first and research second. The 'long term', on the other hand, assumes that innovation must have complete freedom to show its potential; stopping a process to test its predictable harm would compromise the innovation. In sum, the technological process is self-correcting, much like our freedom of choice. Zimmermann argues that the long-term vision

> ranks the normative goals of freedom and well-being higher than the value of equality (...) they tend to prioritize the liberty and well-being of the experts (...). This entrenches social relations that are at odds with democratic equality (...). Rather than embracing the idea that all of us have the right to shape the direction of technological innovations that affect all of us, these views stipulate that tech elites (...) have not only the

30 Zimmermann, *Democratizing AI Deployment*, 25.

31 'Consider the example of DukeMTMC, a dataset of two million video frames recorded in public spaces on Duke University's campus and released publicly without proper privacy protections for people featured in the videos. In the aftermath, controversial research on computer vision-based surveillance technology utilized this

right but also a duty to chart our collective path for the benefit of the clueless masses. This is the case of libertarianism and accelerationism.[30]

The new course of AI demands urgent regulatory intervention, as generative AI differs from earlier forms of AI and machine learning as algorithmic decision-making. Those forms were 'narrow', as they were programmed for specific, predefined fields, such as healthcare, criminal justice, insurance and transportation. However, generative AI is a process that does not have any particular domain, and its breadth of application and, more importantly, evolution is challenging to control and difficult to stop. Moreover, it learns so fast that it makes existing rules old right away. Finally, decisions to deploy powerful technology are not always easily reversible.[31] Therefore, since companies can make decisions that harm society, democratic constituencies have the right and, indeed, the duty to 'exercise active and ex-ante control over which policy options and choices require democratic deliberation and contestation'.[32] Interfering with scientific programmes that deploy generative AI is to protect

data, and following public backlash, it was taken down in June 2019. Nonetheless, within the following year, at least 135 research papers utilized that dataset – and others derived from it – after it had been taken down' (Zimmermann, *Democratizing AI Deployment*, 5).

32 Zimmermann, Democratizing AI Deployment, 11.

a fundamental good: citizens' equal dignity and political power.

As a risk factor, 'acceleration' is the bone of contention, as the EU claimed in challenging Silicon Valley's risk-friendly ideology. Conversely, the Silicon Valley people claim that a wait-and-see approach should be endorsed, as improvement is the goal. 'The only way to improve a product like this, where the user experience is so much different than anything anyone has seen before, is to have people like you using the product and doing exactly what you all are doing'.[33] To generative AI, the public is like a laboratory, and humans are its guinea pigs; stopping the process would be tantamount to stopping an experiment before allowing it to evolve. On the other hand, not stopping it would be tantamount to allowing risks to flow without people having any power to protect themselves from their results.

The conflict over the length of time is thus radical, because it concerns two liberties and, therefore, who has the right to decide to interfere. Within this context, compromise is difficult. In all Western democracies, compromise between social classes or parts holding diverging interests has been practiced constantly, and valuable results have been obtained in welfare and rights policies. However, this case is different, because generative

33 'The New Bing & Edge – Learning from Our First Week', *Microsoft's Bing Blogs*, February 15, 2023, https://blogs.bing.com/search/february-2023/The-new-Bing-Edge-Learning-from-our-first-week.

AI companies enjoy monopolistic power. This makes compromise unachievable; in effect, removing democratic accountability is the goal. Hence, oligarch Peter Thiel writes that the task is 'to find an escape from politics in all its forms, also democracy'.[34] Mimicking the assault on the social welfare state in the aftermath of World War II, libertarians oppose any regulatory authorities and want to protect 'their' AI industry. In Milton Friedman's words, 'There is evidence that a democratic society, once established, destroys a free economy'.[35] In the same line of thought, Robert Nozick argues that the problem with state interference in social choices for reasons of just distribution is that the state's interference in individual decisions can never be stopped, because liberty always generates new inequality.[36]

We are faced with a binary logic here, which stems from the radical asymmetry between the interests of the oligarchs and professionals, on the one hand, and those of the democratic community, on the other. The former tolerate minimal controls at their discretion; the latter believe that controls are necessary when the risks outweigh the

34 Peter Thiel, 'The Education of a Libertarian', *Cato Unbound*, April 13, 2009, https://www.cato-unbound.org/2009/04/13/peter-thiel/education-libertarian.

35 Peter Brimelow, 'Why Liberalism Is Now Obsolete: An Interview with the Nobel Laureate Milton Friedman', Forbes, December 12, 161–65.

36 Robert Nozick, *Anarchy, State, and Utopia* (Basic Books, 1974).

benefits to the public. The nature of the two interests reveals the existence of two incommensurable goods: financial power and political power. In sum, the two interpretations of 'temporality' embody opposite claims to sovereignty: money and politics. Moreover, since sovereignty is an exclusive good, compromise seems hardly conceivable.

Thus, whereas it is unrealistic to hope for a democratic global government, aiming for cooperation among states in regulation seems attainable. The EU is the best example of how sovereigns can challenge transnational powers (for example, in fiscal matters and antitrust issues). We can thus understand why the Silicon Valley potentates oppose statehood and see political sovereignty as the main obstacle and the EU as a more audacious expression of sovereign ambition. In November 2024, the EU Commission fined Meta €797.72 million for violating antitrust rules by linking its online ad service, Facebook Marketplace, to its social network, Facebook, and imposing unfair trading conditions on other providers of online ad services.

The Commission's investigation found that Meta is dominant in the personal social networking market, which is at least as broad as the European Economic Area, as well as in the national markets for online display advertising on social media. In particular, the Commission found that Meta abused its dominant positions in violation of Article 102 of the Treaty on the Functioning of the European Union by linking its

Facebook Marketplace online classified ads service to its personal social network Facebook.[37]

This means, Brussels explains, that 'all Facebook users automatically have access to and are regularly exposed to Facebook Marketplace, whether they want to or not'. In addition, in January 2025, eighteen former European presidents and prime ministers published a letter calling for the European Commission to directly target Google's heavily monopolized advertising business. 'The consolidation of power over vital tech platforms jeopardizes our independence and undermines efforts to enforce our laws', the statement said. The leaders recommend a break-up plus a 'European tech deal' to reclaim control over the critical digital infrastructure on which we all depend. Even before Trump's inauguration, violent threats against the EU were launched by Elon Musk, who last summer told EU Commissioner Thierry Breton to 'take a step back and literally, fuck your face' after Breton warned Musk that his company Twitter/X needed to comply with EU rules on toxic content.[38]

The weapons of rights, rules and norms mean that the EU can represent the interests of its citizens and the public worldwide and makes it a target of

37 *Il Sole24Ore*, 14 November 2024 (my translation).

38 Nick Shaxson, 'EU vs. US or People vs. Billionaires?', *Nation*, 6 February 62025 https://www.thenation.com/article/world/tech-silicon-valley-trump-data-oligarchs/.

the high-tech oligarchs. The techno-financial supranational potentates' fight against the EU shows that the latter is on the right track in the struggle of democrats against oligarchs. Although this struggle cannot be resolved once and for all, it can be fought effectively and in the service of democratic communities and citizens. A democratic government must challenge the asymmetrical relationships that the monopolistic system generates, which disperses risks among the many and concentrates benefits among the few. Democratic equality rejects the logic of the zero-sum game (no compromise) with which the AI oligarchs regulate the risk/benefit ratio in their favour. *Democracy is not risk-averse but asymmetry-of-power-averse.*

More Europe

Mid-February 2025, in a plenary meeting of the European Parliament taking place while Donald Trump was meeting with Vladimir Putin in Saudi Arabia to decide on peace in Ukraine, Mario Draghi gave an important speech that called for Europe to act 'like a state' as an urgent answer to the emerging new global order shaped by Washington with other autocrats, cheating its traditional democratic friends. Defending the European project equates to defending the interests of each European state and democracy. Especially with the new Trump administration, the war in Ukraine and generative AI, the EU's urgent problem is to give itself a unified

representative voice. Europe was not born to remain dependent on a superpower. Moreover, these new scenarios show that its very existence depends on knowing how to stand on its own feet and act as an autonomous agent, like a federative state. The presence of NATO and the rivalry between France and Germany have hindered the construction of a common defence. At this point, there is not much time and room for manoeuvring.

Should we dream of the EU as a 'deceased empire'? This is madness at a time when serious threats are gathering over our heads, from geopolitical tensions to climate change. 'Maintaining the momentum of integration' is not a whim; it is an indispensable objective for preserving our security, jobs, and way of life.[39]

While, in the long period of peace that we have enjoyed until now, commercial ties of economic interest have united the European partners, today a change of pace is necessary, together with the desire for a sovereign Europe: a federation of peoples for the security and freedom of each. Being sovereign means wanting more Europe, not less. Those who are sincerely concerned about the well-being of their countries can only be more pro-Europe, not less.

39 Sylvie Goulard, *Grande da morire. Come evitare l'esplosione dell'Europa*, trans. Maria Paola Castiglioni (Il Mulino, 2025), 149.

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For a Sovereign Europe

A specter haunts Europe: the specter of sovereignty. Legacy of a prestigious political tradition, sovereignty has metamorphosed into a monster in the 19th century, with the advent of nationalism and the ensuing catastrophes that tainted the globe in blood. Today, at a time when nationalist passions seem to be back with a vengeance, a renewed call for sovereignty presents itself as a return towards populations and territories to be defended. Any project aiming at doing away with nations and finding the route towards a larger political ensemble seems to be barred by what is now presented as a sacred value – the one of a people selecting its own way of being governed. But what if this was wrong? What is sovereignty could designate another horizon than the one of nations? What if Europe could become the place for a new experiment on the meaning and extension of sovereignty and democracy? What would this mean: a sovereign Europe?

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Should we dream of the EU as a 'deceased empire'? This is madness at a time when serious threats are gathering over our heads, from geopolitical tensions to climate change. 'Maintaining the momentum of integration' is not a whim; it is an indispensable objective for preserving our security, jobs, and way of life.[39]

While, in the long period of peace that we have enjoyed until now, commercial ties of economic interest have united the European partners, today a change of pace is necessary, together with the desire for a sovereign Europe: a federation of peoples for the security and freedom of each. Being sovereign means wanting more Europe, not less. Those who are sincerely concerned about the well-being of their countries can only be more pro-Europe, not less.

39 Sylvie Goulard, Grande da morire. Come evitare l'esplosione dell'Europa, trans. Maria Paola Castiglioni (Il Mulino, 2025), 149.